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Department of State

TELEGRAM

208

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812

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ACTION: IO-14

INFO: OCT-01 EUR-25 ADP-00 SSO-00 NSCE-00 USIE-00 INRE-00

SS-15 NSC-10 NEA-10 FBIE-00 JUSE-00 L-03 SY-10 USSS-00

CPR-02 CIAE-00 DODE-00 INR-10 NSAE-00 PA-03 RSC-01

PRS-01 RSR-01 /106 W

O R 312244Z MAY 73 ZFF-4

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TO SECSTATE WASHDC IMMEDIATE 8223

INFO AMEMBASSY MOSCOW

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY

WAC/MA

DATE 3.13.87

RDS ☐ or XDS ☐ EXT. DATE

TS AUTH. REASON(S)

ENDORSE EXISTING MARKINGS ☐

DECLASSIFIED ☐ RELEASABLE ☒

RELEASE DENIED ☐

PA or FOI EXEMPTIONS

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E.O. 11652: N/A

TAGS: ASEC, CPRS, UR, US

SUBJ: ENFORCEMENT OF 100 FOOT PROHIBITION IN ACT FOR PROTECTION OF FOREIGN OFFICIALS AND OFFICIAL GUESTS

REF: USUN 2013

POL 23-8 US
RR UN 22-2 USSR
RR UN 1-1

1. AS BREZHNEV VISIT APPROACHES, I WISH TO INVITE PARTICULAR ATTENTION TO USUN 2013 OF MAY 20 SUGGESTING URGENT APPROACH TO PROBLEM OF ENFORCEMENT OF 100 FOOT PROHIBITION IN ACT FOR PROTECTION OF FOREIGN OFFICIALS. LAST YEAR MY PREDECESSOR TOLD UN THAT NEW LEGISLATION "PUTS MAXIMUM MUSCLE BEHIND OUR PROTECTION" OF FOREIGN DIPLOMATS. WE MUST NOT ALLOW ACT TO BECOME DEAD LETTER. OUR ARGUMENTS ABOUT NEED TO PRESERVE BASIC FREEDOMS IN US SOUND SOMEWHAT HOLLOW WHEN WE ARE UNABLE TO GUARANTEE PROTECTION OF FOREIGN OFFICIALS BY IMPLEMENTING LAW WE OURSELVES SOUGHT.

2. A NOTE RECEIVED FROM SOVIET MISSION ON MAY 28 (TEXT BY SEPTEL) DESCRIBES HARASSMENT TO WHICH SOVIET ESTABLISHMENTS IN NEW YORK WERE SUBMITTED ON MAY 27 WHILE "UNDER THE SILENT OBSERVATION AND TOTAL LACK OF ACTION BY THE LOCAL POLICE."

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WHILE SOVIETS USUALLY REPORT THESE INCIDENTS WITH INFLATED RHETORIC, I HAVE NO REASON TO QUESTION BASIC FACTS IN THEIR ACCOUNT. THIS WAS NOT FIRST SUCH INSTANCE. WHILE THIS MESSAGE IN IT, ANOTHER UNFORTUNATE INCIDENT MAY 30 INVOLVING ASSESSMENT SENIOR SOVIET DIPLOMAT (AMB SAFRONCHUK) WAS REPORTED.

3. I UNDERSTAND THAT THERE ARE GENUINE PROBLEMS OF INTERPRETING THE ACT AND THAT THESE PROBLEMS ARE COMPLICATED BY COURT TEXT OF ASPECTS OF CORRESPONDING LEGISLATION APPLICABLE IN WASHINGTON. SIMILARLY, I UNDERSTAND RELUCTANCE OF NEW YORK POLICE, IN ABSENCE OF CLEAR INSTRUCTIONS, TO ENFORCE THIS FEDERAL LAW STRINGENTLY AND I REALIZE FBI HAS LITTLE DESIRE TO INVOLVE ITSELF IN SIDEWALK MISBEHAVIOR OF, FOR EXAMPLE, JDL YOUTH GROUPS.

4. IT IS IMPOSSIBLE TO EXPECT LOCAL AUTHORITIES TO APPLY THE ACT FOR PROTECTION OF FOREIGN OFFICIALS IN SUCH CIRCUMSTANCES IN ABSENCE OF CLEAR INSTRUCTIONS FROM WASHINGTON. I STRONGLY URGE THAT JUSTICE DEPT BE APPROACHED WITHOUT DELAY AT SUFFICIENTLY HIGH LEVEL TO GET IMPLEMENTATION OF ACT, PARTICULARLY 100 FOOT RULE, BEFORE SOME BLOODY INCIDENT EMBARRASSES US BEFORE ENTIRE WORLD COMMUNITY.

SCALE

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